



**COMP**

Alex J. De Castroverde  
Nevada Bar No. 6950  
Orlando De Castroverde  
Nevada Bar No. 7320

**DE CASTROVERDE LAW GROUP**

1149 South Maryland Pkwy  
Las Vegas, NV 89104  
Tel: 702.840.0823  
Fax: 702.383.8741  
Email: peter@decastroverdelaw.com

*Attorneys for Plaintiff Guadalupe Lucinda Valdez-Valenzuela*

CASE NO: A-22-847414-C  
Department 4

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

GUADALUPE LUCINDA VALDEZ-  
VALENZUELA,

Plaintiff,

v.

CARDENAS MARKETS, LLC. d/b/a  
CARDENAS; DOES I-X, inclusive, and ROE  
CORPORATIONS I-X, inclusive,

Defendants.

CASE NO.:  
DEPT NO.:

**COMPLAINT**

Comes Now, Plaintiff GUADALUPE LUCINDA VALDEZ-VALENZUELA, by and through her attorneys of record, Alex De Castroverde and Orlando De Castroverde, and complains against Defendant as follows:

**Jurisdiction and General Allegations**

1. All the events alleged in this Complaint took place in Clark County, Nevada.
2. Plaintiff, GUADALUPE LUCINDA VALDEZ-VALENZUELA (hereinafter referred to as "Plaintiff"), is, and at all times mentioned in this Complaint was, a resident of Las Vegas, Nevada.

1 3. Defendant, CARDENAS MARKETS, LLC. (hereinafter referred to as "Cardenas"),  
2 is, and at all times mentioned in this Complaint was, a foreign limited-liability  
3 company doing business in Clark County, Nevada.

4 4. The true names and capacities of the Defendants DOE I through X and the  
5 Defendants ROE I through X are unknown to Plaintiff at this time. Therefore,  
6 Plaintiff sues these Defendants by such fictitious names and when their true names  
7 and capacities are ascertained, Plaintiff will amend this Complaint accordingly.  
8 Plaintiff believes each of these Defendants designated as a DOE or ROE is  
9 responsible in some manner for the injuries and damages suffered by Plaintiff.  
10

11 **Specific Allegations**

- 12
- 13 1. On or about October 12, 2020, Plaintiff was at the Cardenas Market at 4500 East  
14 Tropicana Avenue, Las Vegas, Nevada 89121.
  - 15 2. While walking near the produce section, Plaintiff stepped on a tomatillo, slipped,  
16 and fell to the floor.
  - 17 3. There were no signs, or other objects, warning of the unsafe and dangerous  
18 condition.
  - 19 4. Because of the slip and fall, Plaintiff suffered bodily injury, pain, and suffering.
  - 20 5. There have been twenty-one (21) lawsuits filed since 2011 against Defendants  
21 for premises liability.
  - 22 6. This demonstrates a poor safety culture and that Defendant's flooring may not  
23 be appropriate for its intended use.
  - 24
  - 25
  - 26
  - 27
  - 28

**First Cause of Action – Negligence**

7. Plaintiff re-alleges paragraphs 1 through 6 as though fully set forth herein.

Defendant CARDENAS owed Plaintiff a duty to use flooring that is appropriate for its intended use; to properly inspect, maintain and control its premises; to warn of dangerous conditions; to use feasible and reasonable means to avoid hazards.

8. By creating and/or permitting a dangerous condition to exist on its premises, not warning of such conditions, not using feasible and reasonable means to avoid hazards, Defendant CARDENAS breached their duty.

9. Because of that breach, Plaintiff has suffered damages, which include but are not limited to bodily injury, past and future medical specials, past and future pain and suffering.

**Second Cause of Action – Negligent Hiring, Training, Supervision, and Retention**

10. Plaintiff re-alleges paragraphs 1 through 9 as though fully set forth herein.

11. Defendant CARDENAS had a duty to adequately hire, train, supervise, and retain its employees and/or other persons and/or entities responsible for the inspection of the Property to ensure that a safe environment was provided for its invitees and/or licensees.

12. Defendant CARDENAS breached its duty in that it did not hire responsible employees, did not train its employees to keep the premises safe for customer use, did not supervise its employees, and retained employees that displayed unsafe practices.

1 13. These failures led to Defendant CARDENAS' employees not recognizing a slip  
2 and fall hazard, not remedying the hazard, and not warning customers of the  
3 hazard.

4 14. These failures proximately led to Plaintiff's slip and fall and resulting injuries.

5 15. Employers, masters, and principals are vicariously liable for the torts committed  
6 by their employees, servants, and agents if the tort occurs while the employee,  
7 servant or agent was acting in the course and scope of employment.  
8

9 16. Pursuant to NRS 41.130, Defendant CARDENAS is vicariously liable for the  
10 damages caused by its employees' actions and negligence, further  
11 encompassing the actions of those hired by Defendant CARDENAS to maintain  
12 the premises and equipment. NRS 41.130 states as follows:  
13

14 Except as otherwise provided in NRS 41.745, whenever any person  
15 shall suffer personal injury by wrongful act, neglect or default of another,  
16 the person causing the injury is liable to the person injured for damages;  
17 and where the person causing the injury is employed by another person  
18 or corporation responsible for the conduct of the person causing the  
injury, that other person or corporation so responsible is liable to the  
person injured for damages.

19 17. Defendant CARDENAS was the employer, master, and principle of the  
20 remaining Defendants and other employees, agents, independent contractors  
21 and/or representatives who negligently did not inspect, maintain, or warn of  
22 dangerous conditions in and about the common walkways on the Property.  
23  
24  
25  
26  
27  
28

**Conclusion**

Plaintiff has been required to retain the services of an attorney to prosecute this action.

**WHEREFORE**, Plaintiff, expressly reserving the right to amend this Complaint, prays for judgment against Defendant as follows:

1. General damages over \$15,000;
2. Special damages over \$15,000;
4. Attorney's fees and costs;
5. Interest at the statutory rate; and
6. For such other and further relief as the Court deems just and proper.

DATED this 28<sup>th</sup> day of January, 2022.

**DE CASTROVERDE LAW GROUP**

*/s/ Peter Petersen*

---

Peter Petersen  
Nevada Bar No. 14256  
1149 S. Maryland Parkway  
Las Vegas, Nevada 89104  
Email: peter@decastroverdelaw.com  
*Attorney for Plaintiff Guadalupe Lucinda  
Valdez-Valenzuela*